

THE HONORABLE RICHARD A. JONES

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

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|---------------------------|---|------------------------------|
| UNITED STATES OF AMERICA, |) | No. CR18-092-RAJ |
| |) | |
| Plaintiff, |) | |
| |) | ORDER ON DEFENDANT BERNARD |
| v. |) | ROSS HANSEN'S MOTION TO |
| |) | COMPEL PRETRIAL INTERVIEW OF |
| BERNARD ROSS HANSEN, |) | CASCADE CAPITAL GROUP |
| |) | GOVERNMENT WITNESSES |
| Defendant. |) | |
| |) | |
| |) | |

Defendant Bernard Ross Hansen seeks to compel pretrial interviews of witnesses from the Cascade Capital Group, LLC., contending these witnesses have information that may be critical to their trial preparation as these individuals are expected to testify for the government in its prosecution of the defendant.

The defendant does not allege that the government has interfered with the defendant's access to these witnesses. Rather, the government has taken the position that counsel for the Cascade Group does not desire to make its employees available for pretrial interviews and the government is not in a position to force otherwise because they are not government-controlled witnesses. Counsel for the Cascade Group has refused to cooperate, contending defendant Hansen's obstructive behavior and hostility towards Mr. Calvert is the reason for the refusal.

There is no controlling Ninth Circuit precedent that requires the relief requested by the defendant. There is no evidence the government is interfering with the right of access to these witnesses who refuse to meet with the defendant. Since the witnesses have chosen not to be voluntarily interviewed, no further relief is due. Counsel is free to bring this fact out before the jury, but that refusal is not entitled to further relief from this court. Therefore, the motion (Dkt. #98) is denied.

DATED this 7th day of October, 2019.

Richard A. Jones

The Honorable Richard A. Jones
United States District Judge